

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON

UNITED STATES OF AMERICA

v.

Case No. 2:09-cr-00222-09

DALE WRIGHT

O R D E R

On October 6, 2009, an individual named Dale Wright was arrested on a warrant issued for "Dale Wright," made an initial appearance, and was released on bond. The court entered an Order Setting Conditions of Release. The United States has filed a motion to exonerate his bond on the ground that the individual who was arrested is not the "Dale Wright" named in the indictment.

It is hereby **ORDERED** that the motion is granted, and the Clerk is directed to vacate the Order Setting Conditions of Release and to place it under seal, along with documents ## 12, 128, 130, 141, and the return of the executed warrant. It is further **ORDERED** that the Clerk shall issue a warrant for the "Dale Wright" named in the indictment.

It is further **ORDERED** that the Clerk, the United States Marshals Service, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Probation Department take the following actions immediately with respect to the within indictment:

1. Destroy hard copy and electronic files relating to the Dale Wright who was erroneously arrested on October 6, 2009;
2. Remove any and all references in NCIC and other electronic databases to the Dale Wright who was erroneously arrested on October 6, 2009;
3. Destroy fingerprint information taken from the Dale Wright who was erroneously arrested on October 6, 2009;
4. Destroy DNA swabs from the Dale Wright who was erroneously arrested on October 6, 2009;
5. Take all such other actions as are or may be necessary to insure that there is no law enforcement or other record of any sort that the Dale Wright who was erroneously arrested on October 6, 2009, is connected in any way to the within indictment.

The Clerk is directed to transmit this Order to AUSA Steven I. Loew, who shall promptly deliver it to the appropriate law enforcement authorities, and to provide copies to the U.S. Marshals Service and the Probation Department.

ENTER: October 8, 2009


Mary E. Stanley
United States Magistrate Judge